

San Francisco Bay Conservation and Development Commission

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May 31, 2022

TO: All Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)
Andrea Gaffney, Senior Bay Development Design Analyst (415/352-3643;
andrea.gaffney@bcdc.ca.gov)

SUBJECT: Draft Minutes of the March 21, 2022, Virtual Design Review Board Meeting

1. **Call to Order and Meeting Procedure Review.** Design Review Board (Board) Chair Jacinta McCann called the teleconference meeting to order on Zoom, at approximately 5:00 p.m.

Board Members in attendance included Board Chair Jacinta McCann, Board Vice Chair Gary Strang and Board Members Bob Battalio, Tom Leader, Stefan Pellegrini, Andrew Wolfram, and Kristen Hall.

BCDC staff in attendance included Andrea Gaffney, Ashley Tomerlin, Tony Daysog, Ethan Lavine, Anniken Lydon, and Schuyler Olsson.

Other people in attendance included:

Middle Harbor Project – all panelists

- Richard Sinkoff, Port of Oakland, Director of Environmental Programs and Planning Division
- Ramona Dixon, Port of Oakland, Port Assistant Management Analyst, Social Responsibility Division
- Jan Novak, Port of Oakland, Associate Planner and Scientist, Environmental Programs and Planning Division
- Linda Gates, Gates and Associates, Principal

505 Bayshore Road – all panelists

- Jeff Smith JSmith@srgnc.com
- Jason Mansfield jmansfield@bkf.com
- Nick Samuelson nsamuelson@TGP-INC.com
- Padru Kang padru.kang@dahlingroup.com
- Eric Muzzy eric.muzzy@dahlingroup.com

Ms. McCann reviewed the meeting protocols.

2. **Staff Update.** Ms. Gaffney updated issues pertinent to the Board.

- a. **Form 700.** A reminder that Form 700 filing is due on April 1, 2022.

b. **Hybrid Meetings.** The Board agreed that Hybrid meetings would be the most appropriate format to hold future meetings to provide the most access for the public to the meetings. The meetings will continue to evolve as we shift from virtual meetings into a mixed format. The Board requested that impacts of the hybrid meeting format be assessed over the next series of meetings, and adjustments to the format will be made accordingly.

c. **Other Updates.** Ms. Gaffney provided updates on staffing, permits issued, recently-opened public access, and the tentative agenda for the next two upcoming DRB meetings.

3. **Middle Harbor Shoreline Park Master Plan and Management Plan Update, Port of Oakland (Second Pre-Application Review).** The Board held a pre-application review of a proposal by the Port of Oakland to update the Master Plan and Management Plan of the approximately 40-acre Middle Harbor Shoreline Park in the City of Oakland, Alameda County. The Port has organized their proposed Master Plan updates around five key areas: facilitate connections with nature, nurture physical well-being, support socializing and gathering, share cultural heritage, and enhance outdoor education opportunities. The physical structure of the park would stay largely the same, with the most significant changes occurring to the beach (which would be approximately doubled in size above the high tide line) and the landscaping (including replacement of large areas of poor-performing lawn with native vegetation more suited to local conditions). Other changes including improving the trail and interpretive signage system, creating wind-protected areas for gathering, building an outdoor education hub, and adding or modifying other park amenities.

a. **Staff Presentation.** Schuyler Olsson, BCDC Coastal Program Analyst, introduced the project, summarized the issues identified in the staff report, and showed a series of slides and photos of the site while describing points of interest. There were no substantive questions largely because the staff presentation focused on re-introducing the project to the board members who were not in attendance the first time the DRB discussed the project in July, 2021, leaving it to the project proponent to discuss in detail how it incorporated concerns and questions raised at the July 2021 DRB meeting.

b. **Project Presentation.** Mr. Richard Sinkoff, Director of Environmental Programs and Planning, Port of Oakland, introduced the project team. Mr. Sinkoff provided an overview, with a slide presentation of the background, context, existing site conditions, and a detailed description of the proposed project. Jan Novak, Environmental Planner/ Scientist, provided planning overview and park access. Linda Gates, Principal, Gates and Associates, provided overview on the design concept. Ramona Dixon, Park Manager, answered questions about the status of the management plan.

c. **Board Questions.** Following the presentation, the Board asked a series of questions to clarify the issues at hand.

d. **Public Hearing.** Three members of the public provided the following comments:

(1) Brian Beveridge: See attached email

(2) David Wofford submitted after the meeting: see attached email

(3) Beth Teper:

- (a) Supports the educational and interpretive facilities, including the recreational facilities
- (b) Encourages restoring native habitat
- (c) Wants to see how the West Oakland communities can be a part of park design and management
- (d) Suggested access via a free zero emissions shuttle from West Oakland BART
- (e) Suggested an oversight committee over the park, with community/cultural representation
- (f) Consider providing wheelchairs designed for beaches for the public to borrow

e. **Board Discussion.** The Board responded to questions from the staff report and discussed the issues with the following advice:

(1) **Improvements, Management & Maintenance**(a) **Baseline Improvements**

- i. Restoration Ecology approach to landscape and general park maintenance needs to be part of the baseline improvements.
- ii. Commitment to management and maintenance is critical.
- iii. Create a diversity of events to generate robust income to reinvest in the park. In order to do this, provide basic improvements that will support these events.

(b) **Level 1 and 2 Improvements.** There needs to be a timeline and more clear guidance on what will enable the development of the Level 1 and Level 2 improvements.

(c) In the management plan, the maintenance budget likely needs to be considerably more than current maintenance funding.

(d) Look at forming a "Friends of MHSP" to help guide stewardship and advisory engagement to ensure success of the park.

(2) **Planting**

(a) Planting is going to be key to reviving this park. Make the landscape beautiful! One season of work could radically transform the landscape.

(b) Approach it from a restoration ecology concept which is REALLY LABOR INTENSIVE. Could be done with volunteer labor and educational efforts.

(c) Coastal Scrub Installation examples that have been successful:

- i. Crissy Field

ii. Lands End

iii. Marine Mammal Center

iv. Use the GGNRA Nursery as a reference

- Take a tour of their facility and how they do it. They might be able to sub-contract. Get realistic cost estimates!
- Timing is crucial with plant establishment. September planting.
- Might have to provide supplemental irrigation for the first couple years.
- Maintenance for restoration ecology requires specific knowledge to be successful
- Plugs with deep roots, planted in the fall (everything in the ground by September 10). Plants should be watered when planted. If it rains in the winter, no irrigation needed, and by spring the plants will be established. Plants should be adapted to get moisture from fog.

(3) There does not need to be as much lawn/open space as there is now...there should be more pathways wandering through coastal scrub vegetation

(4) Park maintenance should be divided between two types

(a) General park maintenance

(d) Horticultural maintenance should be managed separately with a more holistic approach-- labor intensive initially, but less physical work intensive in the long term; more careful planning ahead required and-- need funding and maintenance to ensure proper plant establishment.

f. Special Events

(1) Host as many events as possible for funding of the park maintenance. Events should be a central part of the revenue plan for maintenance and capital improvements – event fees should go back into the park.

(2) Find ways to accommodate a wide variety of events in the park.

(3) Allow large events but keep some of the park open to public access no matter what size event – this includes considerations for Port View Park.

(4) Need to have a clear plan for which areas will be used for events, and which will remain open to the public, how events will be managed

(5) Need to determine how to provide basic needs during events – portable toilets, hookups, etc.

(6) There should be basic lighting to provide security when people are leaving events, connecting between the lit event space(s) and the transportation means

- (7) Need clear delineation and management for parking during events. Don't let events destroy the planting.
- (8) The events could be tied to a visitation goal – park usage monitoring to better understand event and improvement planning.
- g. **Access to the Park**
 - (1) DRB looks forward to seeing proposed access improvements at a future meeting.
 - (2) Bike arrivals are crucial to growing the usership of the park.
 - (3) For bicycle access, there should be physical separation for bicycles from the roadways due to the port truck traffic.
- h. **Dog Park.** DRB expressed general support for the dog parks
- i. **Kayak Launch.** DRB expressed general support for the kayak launch
- j. **Educational Programming.** DRB expressed general support for educational programming
- k. **Beach**
 - (1) One DRB member (Bob Battalio) was concerned with the beach design, including geotechnical stability factors with the proposed mounding at the corner near Point Arnold, and wants to see technical studies supporting it. He stated he cannot support the design without seeing studies first and expressed concern about the cost of the beach restoration versus the guaranteed success of the beach creation/restoration.
 - (2) Jacinta McCann also expressed concern with the beach design, that the new sand would only cover half of the beach.
 - (3) Contemplate sand migration with consideration of sea level rise. How will the shoreline adapt?
- l. **Boardwalks/Dunes**
 - (1) Can be expensive to maintain boardwalks. Board encouraged other designs in the area that may be less expensive such as footpaths with rod and cable edging for exclusion fencing along pathway areas.
 - (2) Board suggested creating an advisory panel to help with dune landscape.
 - (3) Consider placing coarser sediments like pebbles over the sand to hold it down. This was done at Ocean Beach.
 - (4) At Crissy Field/Beach, the landing decks are quite popular, i.e. the hard accessible surfaces where you can sit and look at the beach but not have to walk on the sand.
 - (1) Limit lawn area to what is absolutely necessary
 - (2) Move the small event lawn space closer to the food truck and educational space and let the lawn area adjacent to the dunes become more of a restoration palette or granular gravel mix to transition to the dunes and beach with various paths bringing people closer to the water.

m. Sea Level Rise

- (1) For sea level rise analysis, the DRB would like to understand how the park design will respond to future water levels. What are the resilience and adaptation approaches for the park?
- (2) There is a lot of space for adaptation purposes. Think closely about how the site would adapt in the future, and show this in the drawings.

n. Community Involvement

- (1) Community and cultural programming are crucial to the park's success.
- (2) Consider re-instating a Community Advisory Committee and allowing them to partner / advise on park management.
- (3) Ensure that park amenities are designed in a way that they are inviting to people of color. Spaces may be default to being white spaces if not designed specifically with input from and consideration of people of color. The advisory group would be fundamental to crafting a program for inclusive spaces.

- o. Future DRB Meetings.** The DRB would like to see this project presented a third time to better understand the proposed maintenance and management inclusive of the proposed designs.

- p. Applicant Response.** Mr. Sinkoff responded positively to the Board's discussion and suggestions. He expressed an interest in touring the NPS nursery and contemplating the creation of a nursery on the park site.

Mr. Novak, and Ms. Dixon stated their appreciation for the Board's insights and time. Ms. Dixon expressed concern about the design and discussion of the beach not holding up the progress on the park design and management plan.

- q. Board Summary and Conclusions.** The Board made the following summary and conclusions: (a)The Board concluded that they would like to see the project again for a third review; and (b) the DRB also expressed interest in reviewing the design of the beach to ensure its success as a critical park amenity.

4. Residential Development at 505 East Bayshore Road, Redwood City, San Mateo (Second Pre-application Review). The Design Review Board will conduct its second pre-application review of a proposal by Regis Homes Bay Area to redevelop a 2.5-acre site bounded by East Bayshore Road, Smith Slough, and existing commercial parcels to the south and east. The proposed project would consist of 56 for-sale residential townhomes homes, and shoreline public access improvements that include a shared-use path.

a. Staff Presentation. Tony Daysog, BCDC Shoreline Development Analyst, introduced the project, summarized the issues identified in the staff report, and showed a series of slides and photos of the site while describing points of interest. There were no substantive questions largely because the staff representation focused on re-introducing the project to the three board members who were not in attendance the first time the DRB discussed the project in August, 2021, leaving it to the project proponent to discuss in detail how it incorporated concerns and questions raised at the August 2021 DRB meeting.

b. **Project Presentation.** Jeff Smith (Sares Regis) presented on behalf of Chris DeHaan who was traveling. He introduced the consultants from DAHLIN Group, Guazzardo Partnership, and BKF Engineers. Jeff Smith provided a project overview, with a slide presentation, of project goals, background, local context, existing site conditions, and a detailed description of the proposed project, including updates from the previous Design Review Board meeting.

c. **Board Questions.** Following the presentation, the Board applauded the responsiveness of the project team, and then asked a series of clarifying questions.

d. **Public Comment.** No members of the public provided comments.

e. **Board Discussion.** The Board addressed the questions from the Staff Report as follows:

- (1) How does the updated project proposal result in public spaces that “feel public,” and does the updated project proposal allow for the shoreline to be enjoyed by the greatest number of people?
 - (a) Board expressed appreciation to changes made by applicant in response to concerns and questions Board raised in August 2021 with respect public spaces.
 - (b) Enlarging setback to 22 feet and widening shoreline path to 14 feet was especially appreciated
 - (c) Shoreline path will be heavily used given the number of new residents of and guests to 557 E. Bayshore and 505 E. Bayshore
- (2) The Board discussed the interface between the path and the buildings, and possible further enhancements to improve the interface:
 - (a) Consider elevating the residential units by 12-24 inches to introduce vertical separation between the public sidewalk and the private units.
 - (b) In lieu of the gate, consider a deeper set-back to achieve an appropriate separation between public and private.
 - (c) Consider increasing the patio depth so the patio space could function more like a traditional “door yard” that can be furnished and used by the resident which increases the sense of separation between the public and private through a semi-private use.
 - (d) Consider variation in the building frontage configuration and orientation to allow for more of the public area to feel public. For example, varied setbacks or a saw-tooth orientation of the units could make the planted areas appear less like yards and more like public space.
 - (e) To widen the overall public shore area, consider re-configuring the parking and roadway on the other side of the buildings to create more space on the waterfront, making it feel less “jammed in.”
 - (f) Consider deepening and widening the overlooks so there is more space for the seating.

- (3) What advice can the Board provide on the upcoming community engagement with regards to the proposed design? The Board did not provide any input on this question.
- (4) Is the cantilever at the trail landing and overlooks appropriate for making invitations to the public along the shoreline?
 - (a) The Board believes the cantilevers are beneficial because of the way they align with the paseos through the site, and provide a series of spaces along the shoreline. As such, the cantilevers provide nice punctuation points throughout the project.
 - (b) Instead of defining the ground plane of the cantilevers as the balcony area on the path, applicant might consider the cantilever as part of a larger geometric space that is a pause point on the path, which could be accomplished with ground pavers. In other words, the area that is overlook deck right now can be extended into and across the path via consistent material. These areas could then serve as pause points that increase the public feeling of the path along the shoreline.
- (5) Does the updated project proposal provide a clear connection to the adjacent levee Bay Trail and the Bair Island Trail? Board members appreciated how the applicant widened and enhanced the safety of the sidewalk toward Bair Island Trail.
- (6) Other
 - (a) Are homeowners residing in a project located in a floodplain exposed to unnecessary risks, even as the development they reside in is raised by 4 to 5 feet in response to sea level rise and a year 2100 100-year flooding event.
 - (b) While this is an important issue but an issue for BCDC, the DRB has a role in this conversation by raising questions, such as at what point do residential developments not get built in locations such as this. Questions such as this cannot occur in a vacuum but would also be addressed with other issues such as regional pressure for more housing.
 - (c) Other considerations as to why BCDC needs to discuss new residential developments along the shoreline include technical questions such as weight of proposed buildings on fill, high water table, settlement, sea level rise occurring faster than anticipated, and extreme flooding events and wave actions on top of sea level rise.
 - (d) Staff should analyze vertical capacity to accommodate sea level rise and various extreme flooding scenarios and wave actions, particularly in light of no improvements to Bay Trail and Bair Island levees, which would affect the public access trail.

- (e) Because BCDC policies are such that projects in the shoreline band can only be denied if they fail to provide maximum feasible public access, consistent with the project, BCDC is largely silent on flooding impacts to vertical developments.
 - (f) For purposes of the DRB discussion, tying sea level rise to questions and concerns about public access is key.
- (7) Implement shoreline planting and activities that complement and support adjacent natural wildlife habitat areas in the Smith Slough and Bair Island
- (a) Are mitigations required for encroachment not jurisdictional habitat, separate from BCDC such as USACOE or RWQCB, particularly at the entrance where cantilevering occurs?
 - (b) So long as we are not impacting sunlight into the area, we can avoid mitigation measures.
 - (c) Applicant is working directly with RWQCB: they have verbally-approved site management plan
 - (d) The RWQCB has placed conditions with respect to the cap, which also addresses sea level rise
- (8) Geotechnical
- (a) Does the project have any subsidence issues?
 - (b) Fill brought in during the 1940s – there is 4 to 5 feet of fill on top of bay mud. Applicant is adding another 4 to 5 feet
 - (c) Addressing settlement and subsidence by proposing ground improvements underneath the townhomes drill displacement columns, by drilling holes down to where they need to “boot” – 20 to 30 feet. Fill it up with concrete.
- (9) Circulation-related questions
- (a) Width of road
 - (b) 24 feet
 - (c) ADA-parking spaces?
 - (d) Four spaces up-front, one of which is ADA.
 - (e) Parallel spaces along the road
 - (f) In total, nine spaces in project for guest parking

f. **Applicant Response.** Mr. Smith stated his frustration with the mixed messages about the ground floor treatment of the housing in relation to the public access areas. He committed to finding a resolution that that would work for the housing and the public access. He stated that the parking and access drive cannot be further reduced due to city and fire code restrictions. He proposed making four nodes that are wider areas for public access aligned with the overlooks.

Mr. Smith also noted the challenges to the entire region and city with respect to sea level rise.

g. **Board Summary and Conclusions.** The Board recommended that the project proponents continue to work with staff as they further refine the project for the permit application.

5. **Adjournment.** Ms. McCann asked for a motion and a second to adjourn the meeting.

MOTION: Mr. Wolfram moved to adjourn the July 12, 2021, San Francisco Bay Conservation and Development Commission Design Review Board meeting, seconded by Mr. Strang.

VOTE: The motion carried with a vote of 6 yes, 0 no, and 0 abstain with Board Members Battalio, Hall, and Wolfram, Board Vice Chair Strang, and Board Chair McCann voting approval.

There being no further business, Ms. McCann adjourned the meeting at approximately 9:15 p.m.

Respectfully submitted,

ANDREA GAFFNEY
Senior Bay Development Design
Analyst